

**CANADIAN
PACIFIC
RAILWAY**

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April 21, 2003

RECEIVED

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Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: RM No. 10687 -- Opposition to ITA Petition

Dear Ms Dortch

The Canadian Pacific Railway ("CPR") is pleased to have this opportunity to respond to the Public Notice issued by the Federal Communications Commission on 26 March 2003, concerning the petition of the Industrial Telecommunications Association ("ITA") to become a certified frequency coordinator for railroad mobile radio channels in the United States

CPR has reviewed the ITA petition, and we have also seen the recent letter to you from the Railway Association of Canada ("RAC") dated 7 April 2003, opposing ITA's petition. CPR agrees with RAC, and urges the FCC not to approve the ITA petition.

CPR is a Class I North American railway, providing freight transportation services over a 14,000 mile rail network in Canada and the United States. Based in Calgary, Alberta, CPR has been connecting Canadian businesses and consumers to the world since 1881. CPR's high-density mainline network serves major Canadian ports and cities from Montreal to Vancouver, and key centers in the Midwest and Northeast of the United States. The U.S. locations on our network are served through CPR's *Soo Line* operations (over which CPR took full control in 1990) and the Delaware and Hudson Railway (acquired by CPR in 1991).

CPR depends heavily on mobile radio facilities for operating its rail network. As explained in RAC's letter of 7 April, the extensive near-border and cross-border rail operations between Canada and the U.S. require that there be a compatible channel plan and close cooperation for frequency coordination in each country. In Canada, the regulatory authority, Industry Canada, has appointed RAC as the sole license holder and

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exclusive frequency coordinator for all railroad mobile radio channels used in Canada. Historically, the FCC has treated frequency coordination in the U.S. in a similar fashion, having certified the Association of American Railroads ("AAR") as the exclusive coordinator for railroad channels in the U.S.

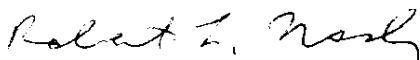
CPR believes very strongly that the present system of exclusive frequency coordination for railroad channels in each country – by RAC in Canada and by AAR in the U.S. – should be continued. RAC and AAR are both membership organizations whose members consist of railway companies (CPR is a member of both). Importantly, the frequency coordination task at both AAR and RAC is performed by persons who are knowledgeable and experienced in railway operations.

This specialized expertise and knowledge is essential to successful frequency coordination and channel selection because of the many different and specialized uses of mobile radio in rail operations, and also because of the need for interoperability of radio equipment on all property of all railway companies in the U.S. and Canada. Frequency coordination for the North American railroad industry could not function properly if the activity were opened up to multiple entities in the U.S., especially entities whose staff have no background, experience or knowledge about train operations.

With the proposed migration to narrowband, it is even more critical that careful frequency coordination be maintained to minimize the risk of destructive interference to our rail operations.

In conclusion, CPR urges the FCC to deny the ITA petition and retain AAR as the sole frequency coordinator for railroad mobile radio channels in the United States.

Sincerely,



R L Nash
General Manager
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cc: Mr. Jeremy Denton
Industrial Telecommunications Assoc.
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